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-- and --

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Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

<p>1940 ROUTE 9, LLC,</p> <p>Plaintiff,</p> <p>v.</p> <p>TOWNSHIP OF TOMS RIVER, NEW JERSEY,</p> <p>Defendant.</p>	<p>Civ. No. 3:18-cv-08008-PGS-LHG</p> <p>JOINT MOTION BY THE PARTIES TO BIFURCATE TRIAL PURSUANT TO FED. R. CIV. P. 42(b)</p> <p>Returnable 12/16/2019</p>
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Plaintiff 1940 Route 9, LLC and Defendant Township of Toms River, New Jersey jointly move this Court pursuant to Federal Rule of Civil Procedure 42(b) for an Order granting bifurcation of the litigation into two phases, the first for liability, and the second for damages.

The parties will rely upon the Memorandum and Declaration submitted with the within Motion and have provided a proposed form of Order.

Dated: November 22, 2019

**MARSHALL DENEHEY WARNER
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Respectfully Submitted,

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CERTIFICATION OF SERVICE

I hereby certify that a copy of the within Motion, supporting Memorandum and Declaration as well as proposed form of Order have been served upon the following as follows:

Electronically Filed

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